

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

SERGIO B. CORDOVA,

Plaintiff(s),

vs.

AMERICA'S SERVICING CO.,

Defendant(s).

No. C 08-5728 MEJ

**ORDER VACATING HEARING RE:
DEFENDANT'S MOTION TO DISMISS**

ORDER TO SHOW CAUSE

Defendant America's Servicing Complanly's Motion to Dismiss, filed December 30, 2008, is currently scheduled for a hearing on February 12, 2009. Pursuant to Civil Local Rule 7, Plaintiff Sergio B. Cordova's opposition to the motion was due by January 22, 2009. However, Plaintiff failed to file any opposition. Further, on January 5, 2009, the Court ordered the parties to consent or decline the undersigned magistrate judge's jurisdiction, you Plaintiff failed to file a response. Accordingly, the Court hereby VACATES the February 12, 2009 hearing date. Further, the Court hereby ORDERS Plaintiff to show cause why this case should not be dismissed for failure to prosecute and comply with court deadlines. Plaintiff shall file a declaration by February 12, 2009, and the Court shall conduct an order to show cause hearing on February 26, 2009 at 10:00 a.m. in Courtroom B, 15 th Floor, 450 Golden Gate Avenue, San Francisco, California.

IT IS SO ORDERED.

Dated: January 27, 2009


MARIA ELENA JAMES
United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SERGIO B. CORDOVA,

Case Number: CV08-05728 MEJ

Plaintiff,

CERTIFICATE OF SERVICE

v.

AMERICA'S SERVICING COMPANY et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on January 27, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Homan Mobasser
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Scott Mark Gitlen
M.W. Roth, PLC
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Dated: January 27, 2009

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk